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Case No. 2023-0140-PAF

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

IN RE GENEDX DE-SPAC LITIGATION	C.A. No. 2023-0140-PAF

UNOPPOSED MOTION FOR CLASS DISTRIBUTION ORDER

PLEASE TAKE NOTICE THAT plaintiffs Todd Katz and Xianming Zhou ("Plaintiffs"), individually and on behalf of the Class, respectfully move this Court to enter the accompanying Class Distribution Order pursuant to the terms of the Stipulation and Agreement of Compromise, Settlement, and Release (the "Stipulation") (Trans. ID 74001588), dated August 16, 2024, and submit in support of this Motion the Affidavit of Ross D. Murray in Support of Unopposed Motion for Class Distribution Order, with all exhibits thereto (the "Murray Affidavit").

WHEREAS, as of July 13, 2026, the approximate balance of the Net Settlement Fund, after accounting for interest earned and deducting attorneys' fees and expenses awarded by the Court, Notice and Administration Costs, and taxes and tax expenses, was approximately $17,400,000.00;

WHEREAS, pursuant to the Scheduling Order entered by the Court on August 23, 2024 (Trans. ID 74138064), Gilardi & Co. LLC ("Gilardi") was appointed as the Settlement Administrator for the Settlement in this Action;

WHEREAS, as of July 16, 2026, Gilardi had received and processed 9,640 Proofs of Claim, 3,181 of which are being recommended for acceptance (Murray Affidavit, ¶2);

WHEREAS, a total of 6,459 Proofs of Claim were determined to be ineligible and therefore have been rejected (*see id.*, ¶¶3-5 (explaining reasons for the disparity in recommended accepted and rejected claims, including the over-submission of claims by third-party filers and the limited eligibility criteria in cases such as this, among other reasons); *see also Yu v. RMG Sponsor, et al.*, C.A. No. 2021-0932-NAC, Affidavit of Mishka Ferguson Regarding Claim Submission Practices and Ineligible Claims (Del. Ch. Apr. 6, 2026), Transcript of Evidentiary Hearing Concerning Proposed Class Distribution (Apr. 15, 2026), and Class Distribution Order (Apr. 15, 2026) (attached hereto as Exhibits A-C) (approving distribution where Gilardi rejected 55,259 out of 56,853 total proofs of claim); *In re TS Innovation Acquisitions Sponsor, L.L.C. Stockholder Litig.*, C.A. No. 2023-0509-LWW, Affidavit of Jack Ewashko Regarding Claim Submission Practices and Eligible Claims (Del. Ch. Apr. 30, 2026) and Class Distribution Order (June 18, 2026) (attached hereto as Exhibits D-E) (approving distribution where settlement administrator rejected 2,599 out of 3,851 total proofs of claim));

WHEREAS, as of July 16, 2026, 51 Proofs of Claim were received after the December 12, 2024, submission deadline, 30 of which would have been eligible to receive payment had they been submitted on time ("Late But Otherwise Eligible Proofs of Claims") (*id.*, ¶7);

WHEREAS, the total Recognized Claim Amount for the 30 Late But Otherwise Eligible Proofs of Claim is $452,821.60 (*id.*);

WHEREAS, the total Recognized Claim Amount for the 3,151 timely and valid Proofs of Claim and the 30 Late But Otherwise Eligible Proofs of Claim is $105,575,275.80 (*id.*, ¶2);

WHEREAS, Plaintiffs will post this Motion, the Murray Affidavit, and the [Proposed] Class Distribution Order to the Settlement website, www.CMLSStockholderSettlement.com, within 24 hours of the filing of this Motion, and will advise the Court of any responses from alleged Class Members received within 14 days of the filing of this Motion; and

WHEREAS, Plaintiffs conferred with Defendants before filing this Motion, and Defendants have indicated they do not oppose the Motion.

THEREFORE, Plaintiffs request that the Court:

1. Accept the administrative determinations by Gilardi concerning the provisionally accepted and rejected Proofs of Claim, including the Late But Otherwise Eligible Proofs of Claim.

2. Authorize Gilardi to conduct an initial distribution (the "Initial Distribution") of the Net Settlement Fund, after deducting all payments previously

approved by the Court and those requested in Plaintiffs' Motion, and after deducting any taxes, the costs of preparing appropriate tax returns, and any escrow fees, in accordance with the Court's Order, as follows (the "Plan of Distribution"):

(a) Gilardi will calculate award amounts to all Authorized Claimants by calculating their *pro rata* shares of the Net Settlement Fund in accordance with the Court-approved Plan of Allocation.

(b) Gilardi will eliminate, pursuant to the terms of the Plan of Allocation, any Authorized Claimants whose distribution payment calculates to less than $10.00, so that such claimants will not receive any distribution from the Net Settlement Fund.

(c) After eliminating claimants that would have received less than $10.00, Gilardi will recalculate, in accordance with the Court-approved Plan of Allocation, the *pro rata* distribution payments for Authorized Claimants that would receive $10.00 or more.

(d) In order to encourage Authorized Claimants to promptly deposit their payments, and to avoid or reduce future expenses relating to uncashed checks, direct that all Initial Distribution checks will bear a notation: "DEPOSIT PROMPTLY; VOID AND SUBJECT TO REDISTRIBUTION IF NOT NEGOTIATED WITHIN 90 DAYS OF DISTRIBUTION."

(e) All Authorized Claimants that do not cash their Initial Distribution checks within the time allotted or according to the conditions set forth in the Murray Affidavit will irrevocably forfeit all recovery from the Settlement.

3. Authorize Gilardi, subsequent to the Initial Distribution in accordance with the Court-approved Plan of Allocation, if any funds then remain in the Net Settlement Fund by reason of uncashed checks, or otherwise, within a reasonable amount of time after the Initial Distribution, in consultation with Plaintiffs' Counsel, if cost-effective to do so, to redistribute such funds to Authorized Claimants who have cashed their Initial Distribution checks and who would receive at least $10.00 from such redistribution, after payment of any unpaid fees and expenses incurred in administering the Settlement, including for such redistribution.

4. Authorize additional redistributions of balances remaining in the Net Settlement Fund to Authorized Claimants if Plaintiffs' Counsel, in consultation with Gilardi, determines that additional redistributions, after payment of any unpaid taxes, tax expenses, and fees and expenses incurred in administering the Settlement, including for such redistributions, would be cost-effective.

5. Authorize that if any balance still remains in the Net Settlement Fund that, after further distributions, is not cost-effective to reallocate, the remaining balance, after payment of any unpaid fees and expenses incurred in administering the

Settlement, shall be contributed to the Delaware Combined Campaign for Justice. Plaintiffs note the Court's instruction in the Scheduling Order (Transaction ID 74138064) that "[a]ny distribution of unclaimed funds to the Combined Campaign for Justice will require a separate motion and court approval before those may be transferred." However, because any proposed contribution to this organization would be at a stage of the distribution process in which it is no longer cost effective to make any further residual distributions to Authorized Claimants, *i.e.*, in a *de minimus* amount of less than $10,000, Plaintiffs respectfully make their request here in order to obviate the filing of a separate motion.

6. Authorize that one year after the Initial Distribution, Gilardi will destroy paper copies of the Proofs of Claim and all supporting documentation, and one year after all funds have been distributed, Gilardi will destroy electronic copies of the same.

7. Based on the foregoing Initial Distribution, authorize Gilardi to distribute the Net Settlement Fund on a *pro rata* basis to the total of 3,181 timely and valid Proofs of Claim and Late But Otherwise Eligible Proofs of Claims, with a total Recognized Loss Amount of $105,575,275.80.

8. Direct that payment pursuant to the Class Distribution Order shall be final and conclusive against all Class Members, and release and discharge all persons involved in the investment, administration, distribution, or taxation of the Settlement

Fund or the Net Settlement Fund, from any and all claims arising out of such involvement, and bar all Class Members, whether or not they receive payment from the Net Settlement Fund, from making any further claims against the Net Settlement Fund, Plaintiffs, Plaintiffs' Counsel, the Settlement Administrator (Gilardi), or any other agent retained by Plaintiffs or Plaintiffs' Counsel in connection with the investment, administration, distribution, or taxation of the Settlement Fund or the Net Settlement Fund beyond the amounts allocated to Class Members.

9. Approve all of Gilardi's fees and expenses incurred in connection with the administration of the Settlement and estimated to be incurred in connection with the distribution of the Net Settlement Fund as set forth in ¶8 of the Murray Affidavit and authorize Plaintiffs' Counsel to direct any additional payments out of the Settlement Fund to Gilardi in payment of such outstanding fees and expenses. As set forth in the Murray Affidavit, total fees and expenses invoiced as of July 16, 2026, as well as additional fees and expenses estimated through completion of the Initial Distribution, are $309,334.56 and $49,600, respectively.

10. Retain jurisdiction to consider any further applications concerning the administration of the Settlement, and such other and further relief as this Court deems appropriate.

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